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UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF CALIFORNIA
Sacramento Division

In the matter of

MICHELE R. BLAIR Movant	Case No. 15-24006-C-13C Chapter 13 Docket Control No. MET-2 **MOTION TO SELL PROPERTY** Date: April 18, 2017 Time: 2:00 P.M. Courtroom: 33, 6th Floor Judge: Christopher M. Klein

Debtor, Michele R. Blair moves this Court for its Order Authorizing the Sale of Real Property.

Debtor filed case number 15-24006-C-13C on May 15, 2015.

The Court has jurisdiction over the property in question under 28 U.S.C. Section 1334. This proceeding is a core proceeding. This Motion is brought pursuant to 11 U.S.C. Section 363 and Bankruptcy Rule 6004.

The debtor seeks to sell her undivided one half interest in the property located at 100 Seneca Way, Vacaville, California. The debtor listed no encumbrances on the property, as there is no debt on her undivided one half interest. Debtor seeks court approval to sell her undivided one half interest in the real property. The debtor has found a buyer for the sale of the property.

The debtor wishes to sell her interest in the property, as the previous co-owner of the other undivided one half interest in the property sold her interest last year, and the current owner of the other undivided one-half interest in the property is seeking relief from the automatic stay to pursue a partition action against her in state court. Sale of the debtor's interest in the property to the current co-owner alleviates continued litigation and related legal costs.

The sales price for debtor's undivided one half interest in the property is $212,500.00 (see Purchase and Sale Agreement, Exhibit A). The debtor represents that the sale offer is reasonable, that she is not in any way related to the proposed buyer(s), and the sale of the property is in the best interests of the creditors, as it will provide funds sufficient to pay off debtor's 100% chapter 13 plan. The sale is subject to higher or better bid being made at the hearing on authorization to sell.

There are no liens encumbering the property to be paid through escrow with sale proceeds. The debtor intends to pay off her Chapter 13 plan with proceeds of the sale.

The debtor requests the 14-day stay period pursuant to Bankruptcy Rule 6004(g) be waived.

WHEREFORE, the Debtor prays as follows:

1) For an order authorizing the sale of the subject property;

2) For the 14 day stay period pursuant to Bankruptcy Rule 6004(g) be waived;

3) For such other and further relief as is just and proper.

Dated: 3/15/17

Mary Ellen Terranella
Attorney for Debtor